

**MINUTES
MONTEREY PARK CITY COUNCIL
SUCCESSOR AGENCY (SA)
SPECIAL MEETING
DECEMBER 5, 2019**

The City Council of the City of Monterey Park held a Special Meeting of the Council in the Council Chamber, located at 320 West Newmark Avenue in the City of Monterey Park, Thursday, December 5, 2019 at 7:00 p.m.

The minutes include items considered by the City Council acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency, which dissolved February 1, 2012. Successor Agency matters will include the notation of "SA" next to the Agenda Item Number.

CALL TO ORDER:

Mayor Liang called the meeting to order at 7:08 p.m.

FLAG SALUTE:

The Monterey Park Fire Explorers led the flag salute.

ROLL CALL:

City Clerk Vincent Chang called the roll:

Council Members Present: Peter Chan, Stephen Lam arrived at 7:15 p.m., Teresa Real Sebastian, Mitchell Ing, Hans Liang

Council Members Absent: None

ALSO PRESENT: City Manager Ron Bow, Assistant City Attorney Karl Berger, Fire Chief Scott Haberle, Police Chief Jim Smith, Director of Public Works Mark McAvoy, Director of Recreation & Community Services Inez Alvarez, Director of Management Services Annie Yaung, City Librarian Diana Garcia, Director of Human Resources and Risk Management Tom Cody, Senior Planner Samantha Tewasart, Deputy City Clerk Cindy Trang

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

None.

ORAL AND WRITTEN COMMUNICATIONS

- Inez Alvarez, Director of Recreation and Community Services, invited the public to the 7th Annual Snow Village on December 6, 2019 from 6:00 – 9:00 pm.
- Troy Grant, on behalf of Monterey Park Police Association, thanked the City Manager for his help resolving parking issues. He also thanked Mayor Pro Tem Ing for providing a cooked turkey to the police officers working on Thanksgiving Day. He advised the public to not drink and drive during the holiday season.

MISSION STATEMENT

The mission of the City of Monterey Park is to provide excellent services to enhance the quality of life for our entire community

- Jim Smith discussed the upcoming Los Angeles County Homeless Count on Tuesday, January 21, 2020 from 7:00 - 11:00 pm. He stated he will provide more information at the next City Council Meeting.
- Larry Naritomi spoke on agenda item 3B. He voiced his opinion on removing MPMC 21.42.060 from the proposed resolution regarding delegation of authority. He stated that the voters should have the right to change any land use.
- David Barron spoke about traffic safety issues and encouraged the City Council to provide more education to the public about traffic safety.

1. PRESENTATION

None.

2. PUBLIC HEARING

2A. CONSIDERATION OF A DRAFT LAND USE ELEMENT (LUE) OF THE GENERAL PLAN, FINAL ENVIRONMENTAL IMPACT REPORT, FINDINGS OF FACT, AND STATEMENT OF OVERRIDING CONSIDERATIONS

On October 28, 2019 and November 20, 2019, the City Council considered both the Draft Environmental Impact Report and the LUE. The staff reports from both meetings are attached for reference. At the November 20, 2019 public hearing, the City Council confirmed the following changes to the draft LUE:

- Reduced the Housing Overlay to the portions of South Atlantic Boulevard, between Avenida Cesar Chavez and Brightwood Street (Figure LUE-3);
- Added a new Housing Overlay to Corporate Center South (90 du/ac, 125 feet) (Figure LUE-3 and Table LUE-1);
- Increased the Market Place height allowance to 80 feet (Figure LUE-4);
- Reduced the floor area ratio (FAR) to 60 percent and height to 40 feet in the Saturn Park area – consistent with 2001 LUE (Figure LUE-4) and revised Policy 25.1 to address hazardous materials; and
- Clarified Policy 20.1 regarding the Downtown area (page 64) and Innovation Technology Uses Focus Area description (page 73) regarding cut-through traffic.

At the November 20th meeting, the City Council considered the draft 6th Cycle Regional Housing Needs Assessment (RHNA) housing numbers allocated to the City by the Southern California Association of Governments (SCAG) Regional Council-approved draft RHNA Allocation Methodology. Based upon that discussion, the City Council directed staff to research adding a Housing Overlay to the Sybil Brand area west of the 710 Interstate Freeway designated as Public Facility and to the Garvey Reservoir property designated as Open Space.

According to SCAG, the City was allocated a draft number of 5,221 housing units for the planning period of 2021 to 2019.

After the meeting, staff and the City's consultant (MIG) analyzed the number of housing units that could potentially result from adding a Housing Overlay to the Corporate Center, Sybil Brand, and Garvey Reservoir areas. An Options Matrix table was prepared to summarize the three scenarios, including Option 1: Proposed Land Use Plan plus Housing Overlay I on both sides of Corporate Center Drive, Option 2: Adding Housing Overlay II to Sybil Brand site plus adjacent vacant parcel, and Option 3: Adding Housing II to Garvey Reservoir site.

The Matrix table shows net capacity relative to existing conditions. Option 1 could potentially yield 1,400 units at 90 units per acre resulting in a cumulative net new unit count of 5,236 units. Option 2 could potentially yield 1,410 at 60 units per acre resulting in a cumulative net new unit count of 6,646 units. Option three could potentially yield 3,870 units at 30 units per acre resulting in a cumulative net new unit count of 10,516.

As shown on the Options Matrix table, Option 1 is analyzed in the DEIR; Options 2 and 3 are not.

Three maps have been prepared for the City Council's consideration, including Land Use Policy Map Option 1 (which shows the Overlay zone added to the Corporate Center Drive area), Land Use Policy Map 2, (which shows the Overlay zone added to the Corporate Center Drive and the Sybil Brand areas), and Land Use Policy Map 3 (which shows the Overlay zone added to the Corporate Center Drive, Sybil Brand, and Garvey Reservoir areas).

CEQA (California Environmental Quality Act):

As shown on the Matrix table, Option 1 was analyzed in the General Plan DEIR; Options 2 and 3 are not analyzed. For Option 1, the DEIR assumes 9,971 net new trips. If instead of offices, residential units are built, then approximately 1,400 residential units could be built without requiring additional CEQA analysis. For Option 2, the DEIR assumes no new trips because no changes were proposed to the Sybil Brand area as part of the circulated DEIR. Option 2 would add approximately 10,321 new trips and, accordingly, would require additional CEQA analysis and – likely – recirculation of the DEIR. For Option 3, the DEIR assumed no new trips because no changes were proposed to Garvey Reservoir as part of the circulated DEIR. Option 3 would add approximately 28,328 new trips and certainly require additional CEQA analysis and recirculation of the DEIR.

Public Speakers:

- David Barron voiced his opposition to the General Plan. He stated that there was not enough information provided to the public.

- Laura Stetson, MIG representative, was present and available for questions.

Action Taken: The City Council (1) opened the continued public hearing at 7:43 p.m. and received testimonial and documentary evidence; (2) after closing the public hearing at 8:50 p.m. and considering the evidence submitted during that public hearing, adopted Resolution No. 12124 adopting the Land Use Element (subject to voter approval) certifying the Final Environmental Impact Report and adopted Mitigation Measures, Findings of Facts and Statement of Overriding Considerations for the Land Use Element as amended to add language to page 3 of the introduction in the Land Use Element stating “pursuant to its discussion on December 5, 2019 the City Council declares its intent to explore adopting a Housing Overlay for the Sybil Brand Site and adjacent vacant lot and Garvey Reservoir as may be required to implement state-imposed housing mandates during consideration of the Housing Element to the Monterey Park General Plan 2020. These considerations would be instead of a housing overlay at Corporate Center”; and directed staff to notice and conduct four Town Hall meetings, include insert in water bills, and place informational article in the Monterey Park Cascades Newspaper.

Motion: Moved by Council Member Chan and seconded by Council Member Real Sebastian motion carried by the following vote:

Ayes:	Council Members:	Chan, Lam, Real Sebastian, Liang
Noes:	Council Members:	Ing
Absent:	Council Members:	None
Abstain:	Council Members:	None

Resolution No. 12124, entitled:

A RESOLUTION CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATIONS, ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE MONTEREY PARK FOCUSED GENERAL PLAN UPDATE MONTEREY PARK 2040, AND ADOPTING – SUBJECT TO VOTER RATIFICATION – AN UPDATED LAND USE ELEMENT TO THE MONTEREY PARK GENERAL PLAN

3. OLD BUSINESS

3A. CONSIDERATION AND DIRECTION REGARDING PLACING A PROPOSITION ON THE MARCH 3, 2020 BALLOT TO ADOPT THE LAND USE ELEMENT TO THE MONTEREY PARK GENERAL PLAN

At the November 20, 2019 meeting, the City Council gave direction regarding the proposition seeking voter ratification for the City Council’s approval of Land Use Element (“LUE”) as contemplated on a different agenda item. A copy of the staff report from that meeting is attached to the staff report for reference.

During that meeting, the City Council directed that staff return with two draft ballot propositions: (1) a proposition approving the LUE; and (2) a proposition that would potentially amend Monterey Park Municipal Code (“MPMC”) Chapter 21.42 (added by Measure L in 1982). The latter proposition is a separate agenda item.

For the LUE, the City Council agreed that the ballot proposition should incorporate these substantive issues: (1) ratification of the City Council’s action in approving the LUE; (2) authorizing the City Council to implement that LUE by adopting applicable zoning regulations; (3) ratifying the City Council’s previous land use decisions made in accordance with the current LUE and MPMC; and (4) authorizing the City Council to amend the LUE and MPMC upon its own authority in response to legislative mandates imposed by the California Legislature. The last item arose in the context of the City Council’s discussion regarding Regional Housing Needs Assessment (“RHNA”) and affordable housing legislation. Both of these state imposed requirements may necessitate future amendments to the City’s General Plan, including the LUE, and also the MPMC. The draft ballot proposition addresses these substantive issues.

Recommendation: The City Council consider (1) adopting a resolution adding a proposition entitled the “Monterey Park 2040 Land Use Element Proposition” to the previously called March 3, 2020 ballot; (2) adopting a resolution requesting that the City Attorney prepare an impartial analysis for the Monterey Park 2040 Land Use Element Proposition; (3) if desirable, direct that the City Manager draft a resolution for City Council consideration on a future meeting agenda supporting the Monterey Park 2040 Land Use Element Proposition; (4) if desirable, designate one or more Councilmembers to draft an argument in favor of the Monterey Park 2040 Land Use Element Proposition; and (5) taking such additional, related, action that may be desirable.

Action Taken: The City Council (1) adopted Resolution No. 12125 adding a proposition entitled the “Monterey Park 2040 Land Use Element Proposition” to the previously called March 3, 2020 ballot as amended to delete Section 1D of the resolution and Section 3C, of Exhibit A and to add “Urban Design” to the ballot title; and (2) adopted Resolution No. 12126 requesting that the City Attorney prepare an impartial analysis for the Monterey Park 2040 Land Use and Urban Design Element Proposition.

Motion: Moved by Council Member Real Sebastian and seconded by Council Member Chan motion carried by the following vote:

Ayes:	Council Members:	Chan, Lam, Real Sebastian, Liang
Noes:	Council Members:	Ing
Absent:	Council Members:	None
Abstain:	Council Members:	None

Resolution No. 12125, entitled:

A RESOLUTION ADDING A PROPOSITION TO THE BALLOT FOR THE PREVIOUSLY CALLED MARCH 3, 2020, REGULAR MUNICIPAL ELECTION PURSUANT TO ELECTIONS CODE § 9222

Resolution No. 12126, entitled:

A RESOLUTION DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE PROPOSITION CAPTIONED THE "MONTEREY PARK 2040 LAND USE ELEMENT PROPOSITION"

3B. CONSIDERATION AND DIRECTION REGARDING PLACING A PROPOSITION ON THE MARCH 3, 2020 BALLOT TO AMEND MONTEREY PARK MUNICIPAL CODE CHAPTER 21.42 (MEASURE L)

As stated in the companion Agenda Item No. 3A regarding the Land Use Element ("LUE") ballot proposition, this agenda item contemplates a ballot proposition that would potentially amend Monterey Park Municipal Code ("MPMC") Chapter 21.42. This Chapter is a codification of Measure L that was adopted by voters in 1982.

The November 20th staff report provided a brief overview regarding why the City Council may wish to seek voter approval to amend MPMC Chapter 21.42:

In the nearly 40 years since Measure L was adopted, the City has undergone significant economic and community changes. And, the City will face new challenges that may require a timely response by the City Council to act in the public's interest.

With that understanding, the City Council may wish to consider balancing the voter's desire to vigorously defend the community envisioned in the LUE with the need for greater flexibility as to land use decisions. Delegating authority back to the City Council to make most land use decisions – even on a supermajority vote (either 4/5 or unanimously) – would help fulfill the City's obligation to protect and enhance the community.

Recognizing the City Council's discussion during its November 20th meeting, the draft ballot proposition would, if approved by voters, substantively amend MPMC Chapter 21.42.

Public Speakers:

- Nancy Arcuri stated that Measure L was voted on by the residents to protect the city from developers. She stated that changes to Measure L should be up to the voters to decide.
- City Clerk Vincent Chang read a written letter from Evelyn Moreno voicing her opposition of Agenda Item 3B.

Recommendation: The City Council consider (1) adopting a resolution adding a proposition entitled the “Protecting Land Use in Monterey Park Proposition” to the previously called March 3, 2020 ballot; (2) Adopting a resolution requesting that the City Attorney prepare an impartial analysis for the Protecting Land Use in Monterey Park Proposition; (3) If desirable, direct that the City Manager draft a resolution for City Council consideration on a future meeting agenda supporting the Protecting Land Use in Monterey Park Proposition; (4) If desirable, designate one or more Councilmembers to draft an argument in favor of the Protecting Land Use in Monterey Park Proposition; and (5) Taking such additional, related, action that may be desirable.

Action Taken: The City Council ensued in discussion on the proposed proposition and by consensus, tabled the item.

Draft Resolution, entitled:

A RESOLUTION ADDING A PROPOSITION TO THE BALLOT FOR THE PREVIOUSLY CALLED MARCH 3, 2020, REGULAR MUNICIPAL ELECTION PURSUANT TO ELECTIONS CODE § 9222

Draft Resolution, entitled:

A RESOLUTION DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE PROPOSITION ENTITLED THE “PROTECTING LAND USE IN MONTEREY PARK PROPOSITION”

RECESSED AND RECONVENED

The City Council recessed at 10:10 p.m. and reconvened with all council members present at 10:18 p.m.

4. CONSENT CALENDAR

Matters listed under consent calendar are considered to be routine, ongoing business and are enacted by one motion unless specified.

Action Taken: The City Council and the City Council, acting on behalf of the Successor Agency, approved and adopted Items Nos. 4A and 4B on Consent Calendar, except for Item No. 4C which was pulled for discussion and separate motion, reading resolutions and ordinances by the title only and waiving further reading thereof.

Motion: Moved by Council Member Real Sebastian and seconded by Council Member Chan motion carried by the following vote:

Ayes:	Council Members:	Real Sebastian, Ing, Liang, Chan, Lam
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

4A. WARRANT REGISTER FOR THE CITY OF MONTEREY PARK OF DECEMBER 04, 2019

Disbursements will be made from the funds referenced in the attached Resolution in Warrants numbered 325933-326137 and ACH numbered 000983-001028.

Action Taken: The City Council approved payment of warrants and adopted Resolution No. 12127 allowing certain claims and demands per Warrant Register dated December 04, 2019 totaling \$833,574.18 specifying the funds out of which the same are to be paid on Consent Calendar.

Resolution No. 12127, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED 4TH OF DECEMBER 2019 TOTALING \$833,574.18 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

4B. AUTHORIZE CONTRACT FOR THE PROCUREMENT OF THE EMERGENCY OPERATIONS CENTER (EOC) TRAINING CADRE PROJECT PHASE 2

The City of Monterey Park has been selected by the County of Los Angeles (LA County) to be the fiscal agent for the EOC Training Cadre Project Phase 2 (Cadre Training Program). The State Homeland Security Program 17 Grant (Fund 0468) project budget has been approved for \$113,000 which is administered by the LA County. Staff recently solicited bids for the Training Cadre Program; it is recommended that City Council approve awarding a contract to Michael Brady in an amount not to exceed \$111,428. If City Council approves to award the agreement for \$111,428, then Monterey Park will submit a budget modification to LA County for the cost savings amount of \$1,572 per grant guidelines.

Action Taken: The City Council awarded an agreement to Michael Brady to provide services for the Emergency Operations Center (EOC) Training Cadre Project (per MPMC § 3.20.040) and authorized the City Manager to execute an agreement with Michael Brady, in a form approved by the City Attorney on Consent Calendar.

4C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA FOR MAINTAINING LOCAL CONTROL OF ENERGY SOLUTIONS

Public Speaker:

Helen Romero Shaw, Public Affairs Manager of Southern California Gas Company, stated that since the last City Council Meeting the Southern California Gas Company has received One Hundred Eleven City Resolutions passed in support of customer choice allowing constituents the ability to choose the energy they desire.

Action Taken: The City Council adopted Resolution No. 12128 maintaining local control of energy solutions.

Motion: Moved by Council Member Chan and seconded by Council Member Real Sebastian motion carried by the following vote:

Ayes: Council Members: Chan, Lam, Real Sebastian, Ing, Liang
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Resolution No. 12128, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA FOR MAINTAINING LOCAL CONTROL OF ENERGY SOLUTIONS

5. NEW BUSINESS

None.

6. COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

EXTENSION OF COUNCIL MEETING

Action Taken: The City Council extended the council meeting to 11:10 p.m.

Motion: Moved by Mayor Liang and seconded by Mayor Pro Tem Ing motion carried by the following vote:

Ayes: Council Members: Chan, Lam, Real Sebastian, Ing, Liang
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

6A. Discussion of Legal Counsel Services

During the November 6, 2019 City Council meeting while discussing agenda item 2B – March 3, 2020 Election Matters, Mayor Pro Tem Ing directed the City Manager with a second by Council Member Real Sebastian to bring back an agenda item at the December 4, 2019 City Council meeting regarding legal services discussion.

The City of Monterey Park has contracted for legal services as far back as our records show from the City Clerk's office since 1986. Prior to 1986, services may have been rendered by a legal counsel but no records could be found at the time of writing this report. Our current legal counsel is Hensley Law Group.

Legal Counsel shall discharge the duties of the offices of City Attorney, Successor Agency Counsel, and Authority Counsel of the City of Monterey Park and shall use its best efforts to provide legal services in a competent and professional manner. Legal Counsel shall provide all services to the City of Monterey Park of the kind and nature typically provided by an in-house City Attorney's office.

Action taken: The City Council by consensus deferred the discussion of legal counsel services to the December 18, 2019 City Council Closed Session Meeting.

COUNCIL COMMUNICATIONS

Council Member Chan wished everyone happy holidays.

Council Member Lam wished everyone happy holidays and announced it was his birthday.

Council Member Real Sebastian asked about plans requested earlier in the year for the Business Improvement District Advisory Committee (BIDAC) and requested clarification on the Grand Opening Ceremony date for the Marriott Hotel. She invited the public to the Holiday Snow Village on Friday December 6, 2019 at 6:00 p.m.

Mayor Pro Tem Ing encouraged the public to attend the Holiday Snow Village.

Mayor Liang spoke about the Former Mayor Gershon Lewis who passed away on September 11, 2019.

7. CLOSED SESSION

None.

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned in the memory of Former Mayor Gershon Lewis at 11:07 p.m.



Vincent D. Chang
City Clerk

Approved on March 4, 2020 at the Regular City Council Meeting